

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:20-CV-61

UNITED STATES OF AMERICA, *ex rel.*  
BRITTANIE HENRY and ZILPHIA  
ADCOCK, BRINGING THIS ACTION ON  
BEHALF OF THE UNITED STATES OF  
AMERICA and THE STATE OF NORTH  
CAROLINA,

Plaintiffs-Relators,

v.

PHARMACY HOLDINGS, LLC,  
MEDCARE CLINIC & PHARMACY, LLC,  
ROBERT GLENN DOWDY, JAMES  
GRANT DOROUGH, and LUTHER DALE  
HUTCHINS.,

Defendants.

**ORDER OF DISMISSAL PURSUANT TO  
THE NORTH CAROLINA FALSE  
CLAIMS ACT**

The State of North Carolina and Relators Brittanie Henry and Zilphia Adcock, pursuant to the North Carolina False Claims Act, N.C. Gen Stat. § 1-608(b)(1) and Rule 41(a) of the Federal Rules of Civil Procedure filed a Stipulation of Dismissal of Claims against Defendants Pharmacy Holdings, LLC, MedCare Clinic & Pharmacy, LLC, Robert Glenn Dowdy, James Grant Dorough, And Luther Dale Hutchins. (Doc. No. 40). Having read and considered the Stipulation and the papers on file in this action, it is hereby ORDERED that:

1. Consistent with the terms and conditions of the Settlement Agreement executed by the United States, State of North Carolina, Relators, and Pharmacy Holdings, LLC, MedCare Clinic & Pharmacy, LLC, Robert Glenn Dowdy, James Grant Dorough, and Luther Dale Hutchins:
  - a. All claims and causes of action set forth in the *qui tam* Complaint shall be dismissed with prejudice as to Relators;

- b. All claims and causes of action set forth in the *qui tam* Complaint and brought on behalf of the Governments against defendants Pharmacy Holdings, LLC, MedCare Clinic & Pharmacy, LLC, Robert Glenn Dowdy, James Grant Dorough, and Luther Dale Hutchins for the Covered Conduct, as that term is specifically defined in Paragraph D of the April 7, 2023 Settlement Agreement between the Governments, Relators, and Pharmacy Holdings, LLC, MedCare Clinic & Pharmacy, LLC, Robert Glenn Dowdy, James Grant Dorough, and Luther Dale Hutchins, shall be dismissed with prejudice as to the State of North Carolina; and
- c. All other claims against Pharmacy Holdings, LLC, MedCare Clinic & Pharmacy, LLC, Robert Glenn Dowdy, James Grant Dorough, and Luther Dale Hutchins shall be dismissed without prejudice as to the State of North Carolina.

2. The Court will retain jurisdiction to the extent necessary to enforce the terms of the Settlement Agreement.

3. The Clerk of Court shall provide an executed copy of this Order to counsel for the United States, counsel for the State of North Carolina, counsel for Relators, and counsel for Defendants.

IT IS SO ORDERED.

Signed: August 2, 2023



Robert J. Conrad, Jr.  
United States District Judge

